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EXAMINER

STORK, KYLE R

ART UNIT PAPER NUMBER

2178

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,903

Applicant(s)

MOLESKY, LORY D.

Examiner

Kyle R. Stork

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This non-final office action is in response to the remarks filed 4 August 2005.
 2. Claims 1-24 are pending. Claims 1, 11-12, 17, and 21 are independent claims.
- The rejection of claims 1-24 under 35 U.S.C. 103 have been withdrawn as necessitated by the remarks.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5, 8, 11, 17, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (US 5226118, filed 29 January 1991, herein after Baker) in view of Haneda et al. (US 6016502, filed 25 July 1996, herein Haneda) and further in view of Snyder et al. (US 6038561, filed 15 September 1997, herein Snyder)

In regard to independent claim 1, Baker discloses displaying simultaneously a first chart and a second chart (Baker Col 3 Lines 23-26); and in response to the event, replacing the second chart with a third chart so as to display simultaneously the first chart and the third chart. (Baker Col 9 Lines 27-33)

Baker does not specifically disclose detecting an event relating to the first chart. However, Haneda mentions related information (Haneda Col 11 Lines 45-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply

Haneda to Baker, providing Baker the benefit of detecting related information for the benefit of displaying the charts correctly.

Baker and Haneda fail to specifically disclose the use of a markup language for presenting information to a user. However, Snyder discloses a markup language for presenting information to a user (column 10, line 64- column 11, line 14). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Baker and Haneda's method with Snyder's method, since it would have allowed a user to communicate information to another user via the internet (Snyder: column 11, lines 8-14).

In regard to dependent claim 2, Baker discloses the first chart is partitioned into a plurality of active regions (Baker Col 9 Lines 8-20); and the event includes a cursor control event relating to one of the active regions. (Baker Col 9 Lines 27-33 i.e. pointer)

In regard to dependent claim 3, Baker discloses selecting the third chart from a plurality of charts based on the one of the active regions indicated by the cursor control event. (Baker Col 9 Lines 8-20 Lines 23-25 i.e. third menu 27-33 i.e. pointer)

In regard to dependent claim 4, Baker discloses detecting another cursor control event, wherein other cursor control event relates to another one of the active regions; in response to the other cursor control event (Baker Col 9 Lines 27-33 i.e. pointer).

Baker does not specifically disclose performing the steps of: selecting a fourth chart from the plurality of charts based on the other of the active regions indicated by the other cursor control event; and replacing the third chart with the fourth chart so as to display simultaneously the first chart and the third chart. However, Haneda shows

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charts (Figure 5 and Figure 11), which certain rows can be deleted (Figure 7 and 8) and it is understood that certain rows can be deleted and the remaining rows can shift together. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of selecting and replacing or cutting and pasting certain rows to the user can easily compare the different rows.

In regard to dependent claim 5, Baker discloses wherein the event includes a movement of a cursor over the first chart, a movement of the cursor out of the first chart, or a click when the cursor is positioned over the first chart. (Baker Col 9 Lines 27-33 i.e. pointer and it is understood that a user can click on an object or chart)

In regard to dependent claim 8, Baker discloses a map element specifying an image map; a first image element referencing the first chart and the image map specified by the map element; and a second image element referencing the second chart; wherein the map element includes an area element that has an event attribute specifying replacement of the second chart with a third chart in response to the cursor control event. (Baker Col 21 Lines 24-40 and Col 9 Lines 27-33) (Baker Col 3 Lines 23-26)

In regard to dependent claim 11, claim 11 reflects similar subject matter claimed in claim 8 and is rejected along the same rationale.

In regard to independent claim 17, Baker discloses displaying simultaneously a first chart, a second chart, and a third chart (Baker Col 3 Lines 23-26)(Baker Col 9 Lines 27-33).

Baker does not specifically disclose in response to an event relating to the first chart, replacing the second chart with a forth chart and replacing the third chart with a fifth chart so as to display simultaneously the first chart, the fourth chart, and the fifth chart and in response to an event relating to the second chart, replacing the third chart with a sixth chart so as to display simultaneously the first chart, second chart, and the sixth chart. However, Haneda shows charts (Figure 5 and Figure 11), which certain rows can be deleted (Figure 7 and 8) and it is understood that certain rows can be deleted and the remaining rows can shift together. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of selecting and replacing or cutting and pasting certain rows to the user can easily compare the different rows.

In regard to dependent claim 20, Baker discloses a first map element specifying a first image map; a second map element specifying a second image map; a first image element referencing the first chart and the first image map; and a second image element referencing the second chart and the second image map; a third image element referencing the third chart; wherein the first map element includes an area element that has an event attribute specifying replacement of the second image map with a third image map in response to an event. (Baker Col 21 Lines 24-40 and Col 9 Lines 27-33) (Baker Col 3 Lines 23-26)

In regard to dependent claim 22, Baker does not specifically disclose wherein the event attribute further specifies replacement of the second image with a fourth image and replacement of the third image with a fifth image in response to the event. However,

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Haneda shows charts (Figure 5 and Figure11), which certain rows can be deleted (Figure 7 and 8) and it is understood that certain rows can be deleted and the remaining rows can shift together. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of selecting and replacing or cutting and pasting certain rows to the user can easily compare the different rows.

7. Claims 6, 7, 9, 10, 12-16, 18, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, Haneda, and Snyder, and in further of Linsey et al. (herein after Linsey) U.S. Patent No. 6,791,582 B2 filed 12/29/2000.

In regard to dependent claim 6, Baker does not specifically disclose receiving content and styling information for the first chart, second chart, and the third chart; based on the content and styling information for the first chart, second chart, and the third chart; and embodying the instructions in the computer-readable medium. However, Haneda shows charts containing information (Figure 5 and Figure11). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of selecting having rows that receive styling information required by the user.

Baker does not specifically disclose generating the instructions in the markup language. However Linsey shows a markup language having instructions (Linsey Col 3 Lines 1-15). It would have been obvious to one of ordinary skill in the art at the time of

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the invention to apply Linsey to Baker, providing Baker the benefit of having a markup language with instructions, which is compatible with web pages.

In regard to dependent claim 7, Baker does not specifically disclose executing the rendering agent to load and render the information in accordance with the instructions in the markup language. However, Linsey shows a markup language having instructions (Linsey Col 3 Lines 1-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a markup language with instructions, which is compatible with web pages.

In regard to dependent claim 9, Baker does not specifically disclose wherein the instructions in the markup language are embodied on a single web page. However, Linsey mentions a document displayed on a browser and it is known that a browser contains web pages (Linsey Col 29 Lines 1-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a web page compatible with browsers for the user to read.

In regard to dependent claim 10, Baker does not specifically disclose wherein the step of replacing the second chart with the third chart is performed without loading another web page. However, Linsey mentions a document displayed on a browser and it is notoriously well known that a browser does not load another web page without user intervention (Linsey Col 29 Lines 1-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a web page compatible with browsers for the user to read.

In regard to dependent claim 12, Baker discloses a map element specifying an image map; a first image element referencing a first image to be rendered in a first area and the image map (Baker Col 21 Lines 24-40 and Col 9 Lines 27-33) (Baker Col 3 Lines 23-26).

Baker does not specifically disclose a second image element referencing a second image to be rendered in a second area; wherein the map element includes an area element that has: a geometry that overlaps at least part of the first area and does not overlap the second area; and an event attribute specifying replacement of the second image with a third image in response to an event. However, Haneda mentions a similar event (Haneda Col 9 Lines 1-18). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of overlapping and replacing images important for display to the user.

Baker does not specifically disclose the geometry specified by the shape attribute. However, Linsey mentions a similar event (Lindsey Col 27 Lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a shape attribute for display to the user.

In regard to dependent claim 13, Baker discloses wherein the event includes a movement of a cursor. (Baker Col 9 Lines 27-33 i.e. pointer)

Baker does not specifically disclose the geometry specified by the shape attribute. However, Linsey mentions a similar event (Lindsey Col 27 Lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to

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apply Linsey to Baker, providing Baker the benefit of having a shape attribute for display to the user.

In regard to dependent claim 14, Baker discloses movement of the cursor into the other geometry specified by the other shape attribute. (Baker Col 9 Lines 27-33 i.e. pointer)

Baker does not specifically disclose another geometry that overlaps at least part of the first area and does not overlap the second area; and another event attribute specifying replacement of the second image with a fourth image in response to another. However, Haneda mentions a similar event (Haneda Col 9 Lines 1-18). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of overlapping and replacing images important for display to the user.

Baker does not specifically disclose the geometry specified by the shape attribute. However, Linsey mentions a similar event (Lindsey Col 27 Lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a shape attribute for display to the user.

In regard to dependent claim 15, Baker does not specifically disclose receiving content and styling information for the first chart, second chart, and the third chart; ... based on the information for the first chart, second chart, and the third chart; and content and styling embodying the instructions in the computer-readable medium. However, Haneda shows charts containing information (Figure 5 and Figure 11). It would

have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of selecting having rows that receive styling information required by the user.

Baker does not specifically disclose generating the instructions in the markup language. However Linsey shows a markup language having instructions (Linsey Col 3 Lines 1-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a markup language with instructions, which is compatible with web pages.

In regard to dependent claims 16 and 19, claims 16 and 19 reflect similar subject matter claimed in claim 7 and is rejected along the same rationale.

In regard to dependent claim 18, Baker does not specifically disclose receiving content and styling information for the first chart, second chart, the third chart the fourth chart, the fifth chart, and the sixth chart; ... based on the content and styling information for the first chart second chart the third chart the fourth chart, the fifth chart, and the sixth chart; and embodying the instructions in the computer-readable medium. However, Haneda shows charts containing information (Figure 5 and Figure11). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of selecting having rows that receive styling information required by the user.

Baker does not specifically disclose generating the instructions in the markup language. However Linsey shows a markup language having instructions (Linsey Col 3 Lines 1-15). It would have been obvious to one of ordinary skill in the art at the time of

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the invention to apply Linsey to Baker, providing Baker the benefit of having a markup language with instructions, which is compatible with web pages.

In regard to dependent claim 21, Baker discloses a first map element specifying a first image map; a second map element specifying a second image map; a first image element referencing a first image to be rendered in a first area and the first image map; (Baker Col 21 a second image element referencing a second image to be rendered in a second area and the second image map Lines 24-40 and Col 9 Lines 27-33) (Baker Col 3 Lines 23-26);

Baker does not specifically disclose and a third image element referencing a third image to be rendered in a third area; wherein the first map element includes an area element that has: a geometry that overlaps at least part of the first area and does not overlap the second area; and an event attribute specifying replacement of the second image map with a third image map in response to an event. However, Haneda mentions a similar event (Haneda Col 9 Lines 1-18). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of overlapping and replacing images important for display to the user.

Baker does not specifically disclose the geometry specified by the shape attribute. However, Linsey mentions a similar event (Lindsey Col 27 Lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Linsey to Baker, providing Baker the benefit of having a shape attribute for display to the user.

8. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, Haneda, and Snyder and in further view of Schwerdtfeger et al. (herein after Schwerdtfeger) U.S. Patent No 6,725,424 B1 filed 12/9/1999.

In regard to dependent claim 23, Baker does not specifically disclose wherein said step of replacing the second chart with the third chart includes reassigning a first source attribute in a Document Object Model (DOM) object to reference an image stored in an image file associated with a second source attribute. However, Schwerdtfeger mentions Document object models that are used in the process (Schwerdtfeger Col 3 Lines 25-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Schwerdtfeger to Baker, providing Baker the benefit of attributing a Document Object Model for better functionality of the process. In regard to dependent claim 24, Baker does not specifically disclose wherein said event relating to the first chart is a mouse over event relating to the first chart. However, Schwerdtfeger mentions a mouse over process (Schwerdtfeger Col 9 Lines 38-52). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Schwerdtfeger to Baker, providing Baker the benefit of having a mouse over event relating to the charts for easier viewing by the user.

Response to Arguments

3. Applicant's arguments, with respect to the failure of Baker or Haneda to disclose a markup language, filed 4 August 2005, with respect to the rejection(s) of claim(s) 1-22 under 35 U.S.C. 103 have been fully considered and are persuasive. Therefore, the

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rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Baker, Haneda, and Snyder.

The Snyder reference addresses the limitations contained in the preamble of the applicant's claims.

4. Applicant's arguments filed with respect to the combination of Baker and Haneda have been fully considered but they are not persuasive.

The applicant argues that the examiner "ignores the claim language 'in response to the event, replacing the second chart with a third chart so as to display simultaneously the first chart and the third chart' (page 11, final paragraph)." However, the examiner respectfully disagrees. Baker discloses in response to the event, replacing the second chart with a third chart so as to display simultaneously the first chart and the third chart. (Baker Col 9 Lines 27-33) However, Baker does not specifically disclose detecting an event relating to the first chart. However, Haneda mentions related information (Haneda Col 11 Lines 45-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Haneda to Baker, providing Baker the benefit of detecting related information for the benefit of displaying the charts correctly.

Further, while Baker does not specifically disclose detecting an event relating to a first chart, Baker does disclose, in response to pointing at a first menu region, replacing subgroup items with the corresponding group items (column 9, lines 7-33). It would have been obvious to one of ordinary skill in the art at the time of the applicant's

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invention to have combined Baker's events (pointing at a group) with Baker's replacing of charts, since it would have allowed a user to interact with the menu.

The applicant argues that Baker, Haneda, and Linsey fail to disclose "the specific claim language 'without loading another web page,' (page 14, paragraph 1)."

The examiner respectfully disagrees. Linsey mentions a document displayed on a browser and it is notoriously well known that a browser does not load another web page without user intervention (Linsey Col 29 Lines 1-19; Microsoft Computer Dictionary: Fifth Edition, web browser).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Microsoft Computer Dictionary: Fifth Edition: web browser

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork
Patent Examiner
Art Unit 2178

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PRIMARY EXAMINER